THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.8492 OF 2007

DATED: 30-04-2007

Between:

G.Devakamma

. . .Petitioner

and

The District Collector,
Chittoor District and others

. . .Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.8492 OF 2007

O R D E R:

It is the case of the petitioner that the Settlement Officer, Nellore, vide proceedings in S.R.No.45/11(a)/83/CTE, dated 04-09-1987, granted Ryothwari Patta under Section 11(a) of the Estate Abolition Act, 1948, (for short 'the Act') in her favour as she being the manager of the joint family.

Aggrieved by the said order, the District Collector, Chittoor, filed a revision before the Court of Director of Settlements, Andhra Pradesh, Hyderabad, under Section 5(2) of the Act. The Court of Director of Settlements, Andhra Pradesh, Hyderabad, through order, dated 31-10-2002, held that the petitioner herein and one Gandikota Rajendra Babu failed to prove that they were lawfully inducted into possession of the schedule land prior to 01-07-1945 by the landholder of the Inam Estate and that the documentary evidence adduced by them is in no way helpful to establish their title prior to 01-07-1945 as stipulated under Section 11(a) of the Act and therefore, the petitioner herein and one Gandikota Rajendra Babu cannot get occupancy rights and the title over the schedule lands as required under Section 11(a) of the Act and accordingly, allowed the said revision.

Aggrieved by the said order, the petitioner herein and one

Gandikota Rajendra Babu filed further revision before the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad in 2005 and the same is still pending.

Learned counsel appearing for the respondents submits that possession of the land of an extent of Ac.11.99 cents in Survey No.401 of Setti Palli Village of Tirupati Urban Mandal, Chittoor District, was already taken over under Section 3(d) of the Act and the said land is lying vacant and barren land is vested with the Government without any encumbrances.

As the revision petition filed under Section 7(d) of the Act is pending before the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad in P1/1015/05, dated 15.11.2005, I deem it appropriate to dispose of the writ petition directing the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad, to dispose of the revision petition filed by the petitioner and another as early as possible in accordance with law and both parties shall maintain status quo with regard to the possession over the property pending disposal of the revision. No costs.

With the above directions, the writ petition is disposed of. No costs.

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V.ESWARAIAH, J

30th APRIL, 2007.

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